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8 Attorney for Damarise McSwain

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10 **UNITED STATES DISTRICT COURT**  
11  
12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 DAMARISE MCSWAIN,

17 Defendant.

18 Case No. 2:15-cr-00015-RFB-NJK

19 **STIPULATION TO CONTINUE**  
20 **REVOCATION HEARING**  
21 (Second Request)

22 IT IS HEREBY STIPULATED AND AGREED, by and between United States  
23 Attorney Nicholas A. Trutanich and Assistant United States Attorney Daniel E. Clarkson,  
24 counsel for the United States of America, and Federal Public Defender Rene L. Valladares and  
25 Assistant Federal Public Defender Sylvia A. Irvin, counsel for Damarise McSwain, that the  
26 revocation hearing currently scheduled on December 17, 2020 at 11:00 a.m., be vacated and  
continued for at least 30 days, or to a date and time convenient to this Court.

27 This Stipulation is entered into for the following reasons:

28 1. On November 13, 2020, Mr. McSwain made his initial appearance on a petition  
29 alleging violations of supervised release. ECF No. 127. Mr. McSwain was released under his  
30 same conditions of supervised release. *See id.*

1       2. Defense counsel previously asked the Court for additional time to be able to  
2 meet with Mr. McSwain and prepare for the revocation hearing and the Court granted the  
3 continuance. ECF Nos. 132, 133.

4       3. Since then, defense counsel has met with Mr. McSwain and the parties have  
5 conferred about the status of his case. Undersigned counsel ask the Court for a continuance of  
6 the revocation hearing to allow Mr. McSwain to continue to show progress and for the parties  
7 to work towards a resolution of the matter.

8       4. Mr. McSwain is at liberty and agrees with the need for the continuance.

9       5. Undersigned counsel contacted AUSA Daniel Clarkson and USPO Annis  
10 Seopaul Sones, and they agree to the continuance.

11      This is the second request for a continuance of the revocation hearing.

12      DATED this 16th day of December, 2020.

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14      RENE L. VALLADARES  
15      Federal Public Defender

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17      NICHOLAS A. TRUTANICH  
18      United States Attorney

19  
20      By Sylvia A. Irvin  
21      SYLVIA A. IRVIN  
22      Assistant Federal Public Defender

23  
24      By Daniel E. Clarkson  
25      DANIEL E. CLARKSON  
26      Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DAMARISE MCSWAIN,  
Defendant.

Case No. 2:15-cr-00015-RFB-NJK

## **ORDER**

Based on the stipulation of counsel, and good cause appearing, IT IS THEREFORE ORDERED that the Revocation Hearing currently scheduled for Thursday, December 17, 2020, at 11:00a.m., be vacated and continued to January 26, 2021, at the hour of 9 : 00 a.m., or to a time and date convenient to the Court.

DATED this 16th day of December, 2020.

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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE